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Attorney for Lavell Richardson

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
Plaintiff,)	
)	CASE NO: 2:21-cr-00320-JCM-BNW
vs.)	
)	STIPULATION TO CONTINUE
LAVELL CANTE RICHARDSON)	SENTENCING
)	(First Request)
Defendant.)	
)	
)	
)	
)	

IT IS HEREBY STIPULATED AND AGREED by and between JASON M. FRIERSON, Acting United States Attorney; DANIEL COWHIG, Assistant United States Attorney; defendant LAVELL RICHARDSON, by and through his counsel LUCAS J. GAFFNEY, ESQ.; that the sentencing hearing currently scheduled for October 14, 2022, at the hour of 10:30 a.m.; be vacated and continued at least forty-five (45) days to a date and time which is convenient to this Honorable Court.

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The instant the Stipulation is entered into for the following reasons:

1. On September 26, 2022, counsel for LAVELL RICHARDSON will begin a five (5) to six (6) week trial in United States v. Castro et al. (case number 2:19-cr-295-GMN-NJK). Although the Court will be dark on Fridays, counsel will not have sufficient time to prepare for Mr. Richardson's sentencing hearing as scheduled. Preparation would include review and analysis of Mr. Richardson's presentence investigation report (PSR), meeting with Mr. Richardson, and potentially drafting a sentencing memorandum.
2. United States Probation Officer Leo Sanchez is in the process of drafting Mr. Richardson's PSR. Mr. Sanchez indicated he will need additional time—approximately thirty (30) to forty-five (45) days—to obtain records needed to properly calculate Mr. Richardson's criminal history.
3. Counsel for LAVELL RICHARDSON respectfully requests a 45-day continuance of the sentencing hearing to ensure he has sufficient time to prepare for Mr. Richardson's sentencing.
4. LAVELL RICHARDSON is currently in custody and does not object to the continuance.
5. Counsel has spoken to AUSA DANIEL COWHIG who does not object to the continuance.
6. The additional time requested herein is not sought for purposes of delay.
7. Denial of this request for a continuance would deny counsel for LAVELL RICHARDSON sufficient time to effectively and thoroughly prepare for the sentencing hearing, taking into account the exercise of due diligence.
8. Additionally, denial of this request for continuance could result in a miscarriage of justice.
9. The additional time requested herein is not sought for purposes of delay.
10. This is the first request to continue sentencing.

DATED: August 17, 2022.

Respectfully submitted:

/s/ Luke Gaffney

LUCAS J. GAFFNEY, ESQ.
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/s/ Daniel Cowhig

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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,
Plaintiff,

vs.

LAVELL RICHARDSON
Defendant.

CASE NO: 2:21-cr-00320-JCM-BNW

**FINDINGS OF FACT, CONCLUSIONS
OF LAW, AND ORDER**

I. FINDINGS OF FACT

Based on the pending Stipulation of the parties, and good cause appearing therefore,
the Court finds:

1. On September 26, 2022, counsel for LAVELL RICHARDSON will begin a five (5) to six (6) week trial in United States v. Castro et al. (case number 2:19-cr-295-GMN-NJK). Although the Court will be dark on Fridays, counsel will not have sufficient time to prepare for Mr. Richardson's sentencing hearing as scheduled. Preparation would include review and analysis of Mr. Richardson's presentence investigation report (PSR), meeting with Mr. Richardson, and potentially drafting a sentencing memorandum.
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10. This is the first request to continue sentencing.

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interests of the public and the defense in a proceeding with the sentencing hearing as currently scheduled.

ORDER

IT IS THEREFORE ORDERED that the sentencing hearing currently scheduled for October 14, 2022, at the hour of 10:30 a.m. be vacated and continued to **November 30, 2022, at 10:30 a.m.**

IT IS SO ORDERED



THE HONORABLE JAMES C MAHAN
UNITED STATES DISTRICT JUDGE

DATED: August 19, 2022